

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:
Bryant S. Agnew

CASE NO: 16-30443

Chapter 13

SSN# : XXX-XX-7443

MOTION OF TRUSTEE TO MODIFY PLAN

The undersigned, being the Standing Trustee for the debtor listed above, hereby moves the court as follows:

Subsequent to the confirmation, the trustee has reviewed this case and believes the plan of the debtor will no longer meet the requirements of the bankruptcy code due to the following reason:

<u>Trustee Claim #</u>	<u>Clerk Claim #</u>	<u>Creditor Name</u>	<u>Account Number</u>	<u>Scheduled Claim Amnt</u>	<u>Asserted Claim Amnt</u>	<u>Claim Type</u>
3	10	HSBC BANK USA NA	8831	\$5,998.77	\$6,085.91	N-Mortgage/Lease Arrears
4	10	HSBC BANK USA NA	8831	\$98,529.00	\$99,306.96	M-Mortgage/Lease

Post confirmation, HSBC BANK USA NA filed a Notice of Mortgage Payment Change (NPC) which increased the debtor's monthly conduit payment. Additionally, HSBC BANK USA NA arrears were scheduled for a lesser amount. The plan is not sufficient to pay all claims as required by the order of confirmation and applicable law.

*The above referenced mortgage arrearage claim amount includes three (3) administrative post-petition payments.

The trustee recommends that the plan be modified as follows :

Your monthly plan payment will be increased to \$1710.00.

DATED: December 28, 2017

Warren L. Tadlock
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

"Important Information on Reverse Side"

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NOTICE OF OPPORTUNITY FOR HEARING

The Chapter 13 trustee has filed papers in the bankruptcy case for the debtor named above requesting a Motion to Modify Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested by the trustee in the motion, or if you want the court to consider your views on the motion, then by January 18, 2018 you or your attorney must file with the court a written response to the motion and a request for a hearing at the following address:

CLERK, U.S. BANKRUPTCY COURT
401 W Trade St.
Charlotte, NC 28202

If you **mail** your response to the court for filing, you must mail it early enough for the court to **receive** it on or before the deadline stated above.

If you file a response, then a hearing on the trustee's motion will be held at the following time and place:

Date: January 23, 2018

Time: 9:30 AM

Location: CHARLES JONAS FEDERAL BUILDING
COURTROOM 1-5
401 WEST TRADE STREET
CHARLOTTE, NC 28202-1619

No hearing will be held unless a response is filed.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: December 28, 2017

Warren L. Tadlock
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

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CERTIFICATE OF SERVICE

The parties whose names and addresses are listed below were served by United States first class mail, postage prepaid on December 28, 2017.

D. Morales

Office of the Chapter 13 Trustee

ACCESS ONE MEDCARD, PO BOX 410806, CHARLOTTE, NC 28241
BANK OF AMERICA, PO BOX 982238, EL PASO, TX 79998
Bryant S. Agnew, 11027 Gold Pan Road, Charlotte, NC 28215
CAPITAL MANAGEMENT SERVICES, 698 1/2 S OGDEN STREET, BUFFALO, NY 14206
CAPITAL ONE BANK (USA) NA, PO BOX 71083, CHARLOTTE, NC 28272
CAPITAL ONE, PO BOX 30285, SALT LAKE CITY, UT 84130
CHOICE RECOVERY, 1550 OLD HENDERSON ROAD, COLUMBUS, OH 43220
CITY COUNTY TAX COLLECTOR, PO BOX 31457, CHARLOTTE, NC 28231
DEST FAMILY DENTISTRY, 1525 W. T. Harris Blvd, Charlotte, NC 28262
ECAST SETTLEMENT CORPORATION, PO BOX 29262, NEW YORK, NY 10087
FOUNDERS FEDERAL CREDIT UNION, 737 PLANTATION ROAD, LANCASTER, SC 29720
G MARTIN HUNTER, 301 S MCDOWELL STREET STE 1014, CHARLOTTE, NC 28204
GC SERVICES, COLLECTION AGENCY DIVISION, 6330 GULFTON STREET, HOUSTON, TX 77081
HSBC BANK USA NA, WELLS FARGO BANK NA, ATTN BANRUPTCY DEPARTMENT MAC# D3347-014, 3476 STATEVIEW BLVD, FORT MILL, SC 29715
HSBC BANK USA NA, WELLS FARGO BANK NA, ATTN PAYMENT PROCESSING MAC# X2302-04C, ONE HOME CAMPUS, DES MOINES, IA 50328
INTERNAL REVENUE SERVICE, PO BOX 7317, INSOLVENCY REMITTANCE, PHILADELPHIA, PA 19101-7317
INTERNAL REVENUE SERVICE, PO BOX 7346, PHILADELPHIA, PA 19101-7346
LASHONDRA AGNEW, 1308 Milan Road, Charlotte, NC 28216
MEDICREDIT INC, 13730 SOUTH POINT BLVD, CHARLOTTE, NC 28273
MEDICREDIT, INC., PO BOX 1629, MARYLAND HEIGHTS, MO 63043
NAVY FEDERAL CREDIT UNION, PO BOX 3000, MERRIFIELD, VA 22119-3100
NC DEPT OF REVENUE BANKRUPTCY UNIT, PO BOX 1168, RALEIGH, NC 27602
ONEMAIN FINANCIAL GROUP, 6801 COLWELL BLVD, MAIL STOP NTSB 1310, IRVING, TX 75039
ONEMAIN FINANCIAL SERVICES INC, PO BOX 70912, CHARLOTTE, NC 28272-0912
REEDY CREEK PLANTATION HOA OF MECKLENBURG INC., c/o COMMUNITY ASSOC MGT SERVICE, 1612 Military Cutoff Road, Suite 108, Wilmington, NC 28403
TITLMAX OF SOUTH CAROLINA, 15 BULL STREET SUITE 200, SAVANNAH, GA 31401
US ATTORNEY'S OFFICE, 227 W TRADE ST STE. 1650, CHARLOTTE, NC 28202
WELLS FARGO HOME MORTGAGE, PO BOX 10335, DES MOINES, IA 50306
Total Served:28

UNDELIVERABLE MAIL (Insufficient Mailing Address)

Total:0